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May 10, 2002

Electronic Filing
Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th St., SW, Room TWB-204
Washington, DC 20554

Re:     Notice of Ex Parte Contact:

_Second Joint Application of BellSouth For Authorization Under Section 271 Of The Communications Act To Provide In-Region, InterLATA Service In The States Of Georgia and Louisiana_, CC Docket No. 02-35

Dear Ms. Dortch:

On Thursday May 9, 2002, I met with Commissioner Martin and Monica Desai, Commissioner Martin's Legal Adviser, regarding the above referenced proceedings.  In that meeting, we reiterated AT&T's opposition to BellSouth's application for all of the reasons articulated by AT&T in its Comments, Reply Comments and ex parte filings in this docket.  In particular, I focused on the April 19, 2002 ex parte letter submitted by AT&T in this proceeding.  At the request of the Commissioner and Ms. Desai, I have attached some additional summary data as on the issues of contention which remain on the change management process.  Finally, the discussion of significant change requests contained in the current backlog and summarized in those attachments can be found in the Supplemental Declaration filed by AT&T witnesses Bradbury and Norris at paragraph 149.

The positions expressed by AT&T during the meeting were consistent with those contained in the Comments and ex parte filings previously made in each of these dockets.  One copy of this Notice is being submitted in accordance with the Commission's rules.

Sincerely,

Robert W. Quinn, Jr.

Enclosure
cc: Commissioner Kevin Martin
    Monica Desai

# Change Control Process Back Log

- **BellSouth's CCP contains no deadlines for the implementation of feature changes.**

- **The effect on Change Requests in back log is:**

  - CRs have remained in "new" status an average of 6 months (the process objective is 10 business days);
  - CRs have remained in "pending" status (accepted but not prioritized) an average of 8 months;
  - CRs have remained in "candidate" status (prioritized but not scheduled for implementation) and average of 17 months;
  - CRs in "scheduled" status are targeted for implementation an average of 23 months from submission.

- **The effect on Change Requests implemented in 2002 is:**

  - In 2002 there have been 5 CLEC initiated feature changes implemented with an average implementation interval of 24 months;

  - In 2002 there have been 5 BellSouth initiated feature changes implemented, with an average implementation interval of 4 months.

- **The CCP Dispute Resolution process contains no deadlines.**

- **BellSouth's current proposals do not correct these deficiencies and are not part of the current process. See attached document titled Change Control Update.**

# Change Control Process Back Log

## Overall Feature Change Request Back Log
## 2/20/02[1]

| Change Request Status | Number of Change Requests in Back Log | Submission Date of "Oldest" Request in Back Log |
|---|---|---|
| New | 29 | 8/2000 |
| Pending | 17 | 9/2000 |
| Candidate Request | 32 | 8/1999 |
| Scheduled | 15 | 8/1999 |
| Total | 93 | - |

New – Indicates a Change Request has been received by the BellSouth Change Control Manager ("BCCM") but has not been validated. The interval for validation is 10 business days.

Pending – Indicates a Change Request has been accepted by the BCCM and scheduled for Change Review and prioritization. Change Review occurs at each monthly status meeting, prioritization occurs in March, June, August and December.

Candidate Request – Indicates a Change Request has completed the Change Review and prioritization process and is ready to be scheduled to a release.

Scheduled – Indicates a Change Request has been scheduled for a release.

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[1] All information summarized here was obtained from the BellSouth Change Control Log provided to the CLECs by e-mail on February 20, 2002.

# Change Control Process Back Log

## Aging Summary

| Change Request Status | Average Interval from Submission (months) | BellSouth Initiated | CLEC Initiated |
|---|---|---|---|
| | | | |
| New | 6 | 3 | 7 |
| | | | |
| Pending | 8 | 6 | 10 |
| | | | |
| Candidate Request | 17 | 17 | 18 |
| | | | |
| | Average Interval from Submission to Targeted Implementation (months) | | |
| | | | |
| Scheduled | 23 | 21 | 23 |
| | | | |

# Change Control Process Back Log

## Aging Summary II

| Change Request Status | Percent less than 6 months | Percent 6 to 12 months | Percent greater than 12 months |
|---|---|---|---|
| | | | |
| New | 54% | 29% | 17% |
| | | | |
| Pending | 29% | 53% | 18% |
| | | | |
| Candidate Request | - | - | 100% |
| | | | |
| Scheduled | - | - | 100% |
| | | | |
| | Percent 12 - 18 months | Percent 18 – 24 months | Percent greater than 24 months |
| | | | |
| Candidate Request | 66% | 26% | 8% |
| | | | |
| Scheduled | 14% | 64% | 22% |

## Change Control Update

On May 2, 2002, BellSouth and the CLECs held their third meeting to discuss the "redline/greenline" versions of the Change Control Process ("CCP") document. *See* AT&T April 19 *ex parte* at 5-7 (discussing previous meetings held on March 28 and April 11, 2002). As in the two previous meetings, progress was made on some issues; for example, BellSouth finally agreed to accept the CLECs' proposal to clarify that the scope of the CCP includes linkage, legacy, and billing systems.

However, like the previous two meetings, the May 2nd meeting did not resolve the critical issues of the prioritization, implementation, sequencing, and scheduling of change requests. Instead, as at the April 11th meeting, BellSouth proposed that there be separate CLEC and BellSouth production releases, with BellSouth retaining sole control over what changes would be implemented in "its" releases -- and that BellSouth implement prioritized CLEC-initiated change requests within 60 weeks, subject to "capacity constraints." As AT&T has previously demonstrated, BellSouth's proposal is flawed in numerous respects, including: (1) its arbitrary division of releases by CLECs and by BellSouth; (2) its focus on the originator of the changes, rather than their importance; (3) BellSouth's retention of exclusive control over prioritization and implementation of its own change requests; and (4) the meaningless nature of BellSouth's timetable for implementation. *Id.* at 6-7.

BellSouth made clear at the May 2nd meeting that it was unwilling to accept the CLECs' proposals for changes to the CCP regarding prioritization, implementation, sequencing, and scheduling of change requests. In fact, despite the patent inadequacy of its own proposal, BellSouth stated that it was making its "best and final" offer.

At the May 2nd meeting BellSouth also continued to fail to provide CLECs with the release capacity information that they need to make meaningful prioritization decisions, despite its previous commitment to do so. *See* AT&T Reply Comments at 24 & n.32. BellSouth stated that it had no plans to provide CLECs with any capacity data regarding 2002 releases, but simply agreed to "investigate" doing so. Similarly, although BellSouth promised to provide CLECs with 2003 capacity data by May 10, 2002, it stated that it had no plans to include capacity information for defect changes to be implemented – despite the fact that defect changes have constituted nearly 75 percent of the change requests implemented by BellSouth. BellSouth agreed only to "investigate" providing such information. AT&T April 19 *ex parte* at 3-4. BellSouth also stated that it would only provide capacity information using its arbitrary division of "CLEC releases" and "BellSouth releases." BellSouth further stated that it expected the CLECs to prioritize change requests and select a 2003 release plan at the May 22nd CCP meeting – even though the inadequacy of the capacity information it is willing to provide effectively makes such prioritization impossible, giving the CLECs no frame of reference with which to make such decisions. Finally, BellSouth advised the CLECs that it would not provide specific capacity information related to the implementation of ELMS-6 (the next industry standard release) on May 10th, but would simply provide "model" capacity information for ELMS-6 on that date.

The inadequacy of the change control process is further confirmed by AT&T's recent use of the CAVE test environment, which again showed that CAVE does not mirror the actual production environment. *See* Bradbury/Norris Supp. Decl. ¶¶ 170-174; AT&T Reply at 24-27. In early 2002, because AT&T wished to use CAVE for various purposes, AT&T and BellSouth entered into a testing agreement encompassing a number of test cases, including the

2

parsed CSR. AT&T and BellSouth also held numerous discussions to clarify AT&T's objectives for the test. Yet, when AT&T attempted to test BellSouth's parsed CSR functionality in CAVE in April 2002, it simply received an error message – even though BellSouth had implemented such functionality in actual commercial production more than three months earlier. When AT&T requested an explanation from BellSouth, BellSouth claimed that it was unaware that AT&T intended to test the parsed CSR. BellSouth's explanation was illogical, since AT&T's testing of the parsed CSR was expressly listed among the test cases in the parties' testing agreement and had previously been discussed by the parties. Clearly, BellSouth has not yet configured CAVE to reflect the actual production environment. The absence of such a "mirror-image" environment is a serious deficiency, particularly in view of BellSouth's record of implementing numerous releases having serious defects (with resulting adverse impacts on CLECs, which lacked a test environment that would have enabled them to identify defects before actual implementation of the releases). AT&T Reply at 26; Bradbury/Norris Supp. Decl. ¶ 175 & Att. 61.

The testing proposal that BellSouth made at the April 11th redline/greenline meeting also shows that CAVE does not reflect the commercial production environment. In its application, BellSouth attempted to support its argument that CAVE reflected the production environment by asserting that it "provides CLECs using CAVE with real-time access to pre-ordering data" – in contrast to Verizon, which "limits CLECs to a subset of ordering data." Stacy/Varner/Ainwsworth Supp. Aff. ¶ 137 & n.16. Yet, in its recent testing proposal, BellSouth stated that only "appropriate addresses and telephone numbers" will be available in CAVE for use in conducting pre-ordering and ordering transactions. That is the very approach that Verizon has taken – and that BellSouth previously criticized as not reflecting actual production. *Id.*

In addition to failing to provide an adequate test environment, BellSouth continues to refuse to agree to a "go/no go vote" procedure, which would ensure that a scheduled change can go forward only with the CLECs' consent and that CLECs can stop a planned change that may cause problems in the OSS, based on testing or on a review of documentation when testing is unavoidable. *See* Bradbury Decl. ¶¶ 185-186; Bradbury/Norris Supp. Decl. ¶ 194; *Texas 271 Order* ¶ 112. During a conference call today (May 9) regarding CAVE testing, BellSouth reiterated that it would not allow CLECs to have any role in its final "go/no go" decision related to BellSouth's own production releases (or any role in BellSouth's final decision regarding the content and timing of its releases), even when CLECs' testing reveals flaws in the releases that would negatively impact their operations.

## Due Date Calculator Update

A recent change request filed by BellSouth reconfirms that its due date calculator does not consistently provide CLECs with accurate due dates – and that BellSouth still fails to provide CLECs with due calculation capability equivalent to that used by BellSouth's retail operations. *See, e.g.,* AT&T at 15-18; AT&T Reply at 8-10. On May 7, 2002, BellSouth filed a defect change request (CR 0770) stating that the TAG due date calculator is giving inconsistent due dates on "feature exceptions"[1] – a term that BellSouth did not define. Furthermore, BellSouth's own data continue to suggest that the calculator still does not work properly. BellSouth's Flow-Through Error Analysis Report for March 2002 identified 3,375 BellSouth-

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[1] Although BellSouth's change request refers only to the TAG pre-ordering interface, both TAG and the LENS pre-ordering interface use the same due date calculator.

caused errors as "Due Date Could Not Be Calculated" (Error Code 9685) – indicating that the

due date calculator failed to function *at all* for nearly 3,400 orders during that month.[2]

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[2] BellSouth's Flow-Through Error Analysis Report for February 2002 similarly identified 4,581 BellSouth-caused errors under Error Code 9685. AT&T Reply at 8. These errors involve LSRs that fall out for manual processing solely because of errors in BellSouth's systems. AT&T April 19 *ex parte* at 12 n.24.